IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2227 OF 2006

The President,
Shikshan Prasarak Sanstha Kavathe Mahankal & Anr.....
Petitioners
V/s
Tanaji Appasaheb Waghmare & Anr..... .....
Respondents.

Office Notes, Office Memoranda of Coram, appearances Court's orders or directions and Registrar's orders.	)	Court's or Judge's Orders

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Mr.Umesh Mankapure, Adv. for the petitioners.

Mr.P.D.Pise, Adv. For R.No.1.

CORAM: A.P.DESHPANDE, J.
14.2.2007

PC:

The petitioner and respondent No.1 have placed on record consent terms arrived at between the petitioner and respondent No.1 and joint prayer is made for disposal of writ petition in terms of said consent terms.

The respondent No.1 who was working as full time lecturer in the subject of Economics and Cooperation was terminated from services from

19.4.1997 and aggrieved thereby he filed appeal before the Presiding Officer, School Tribunal. The School Tribunal allowed the appeal and directed reinstatement of respondent No.1 herein together with full back wages and continuity of service. In this factual background the present petition came to be filed. A perusal of the consent terms reveal that the petitioner had not appointed any other person in the post that fell vacant on account of termination of services of respondent No.1. One of the terms agreed between the petitioner and respondent No.1 is to the effect that as no person was appointed in the vacancy caused on account of termination of respondent No.1 petitioner shall forward the salary bills of back wages payable to the respondent No.1 to the concerned authority i.e. Deputy Director of Education who shall consider the said prayer having regard to the fact that the petitioner has not claimed any salary in relation to the post in question. In the result the Deputy Director of Education is directed to consider the claim that would be made for arrears of back wages payable to respondent No.1 and take appropriate

decision in accordance with law within a period of two months from the date of receipt of the bills. With the above observations writ petition stands disposed of in terms of consent terms which are taken on record and marked `X' for identification.

In view of disposal of the writ petition Civil Application does not survive and same is disposed of.

14.2.2007